

Dated: March 22, 2000.

James Jones,

*Director, Registration Division, Office of
Pesticide Programs.*

Therefore, 40 CFR part 180 is
corrected as follows:

PART 180—[AMENDED]

1. The authority citation for part 180
continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. Section 180.495, is amended by
revising the entries for “Animal feed,
nongrass, group,” “Apple,” and
“Teosinte, grain” and removing the
entry for “Barley” and adding in its
place “Barley, grain” to the table in
paragraph (a) to read as follows:

§ 180.495 Spinosad; tolerances for residues.

* * * * *

(a) * * *

Commodity	Parts per million	Expiration/ Revocation Date
* * *	* *	*
Animal feed, nongrass, group	0.02	None
* * *	* *	*
Apple	0.2	None
* * *	* *	*
Barley, grain	0.02	None
* * *	* *	*
Teosinte, grain ..	0.02	None
* * *	* *	*

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-596; MM Docket No. 99-96, RM-
9534; MM Docket No. 99-193, RM-9561; MM
Docket No. 99-194, RM-9562; MM Docket
No. 99-308, RM-9693; MM Docket No. 99-
309, RM-9694; MM Docket No. 99-310, RM-
9742]

**Radio Broadcasting Services; Newell,
SD; Merville, IA, Rockford, IA; Watseka,
IL; Keosauqua, IA; Box Elder, SD**

AGENCY: Federal Communications
Commission.

ACTION: Final rule.

SUMMARY: This document grants six
proposals that allot new channels to
Newell, South Dakota; Merville, Iowa;
Rockford, Iowa; Watseka, Illinois;
Keosauqua, Iowa; and Box Elder, South
Dakota. Filing windows for Channel
279C2 at Newell, South Dakota; Channel
246A at Merville, Iowa, Channel 225A at
Rockford, Iowa; Channel 240A at
Watsela, Illinois; Channel 271C3 at
Keosauqua, Iowa; and Channel 274A at
Box Elder, South Dakota, will not be
opened at this time. Instead, the issue of
opening a filing window for these
channels will be addressed by the
Commission in a subsequent order.

DATES: Effective May 1, 2000.

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media
Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a
synopsis of the Commission's Report
and Order, MM Docket No. 99-96; MM
Docket No. 99-193; MM Docket No. 99-
194; MM Docket No. 99-308; MM
Docket No. 99-309; MM Docket No. 99-
310, adopted March 8, 2000, and
released March 17, 2000. The full text
of this Commission decision is available
for inspection and copying during
normal business hours in the FCC
Reference Information Center (Room
CY-A257), 445 12th Street, SW.,
Washington, DC. The complete text of
this decision may also be purchased
from the Commission's copy contractor,
International Transcription Service,
Inc., (202) 857-3800, 1231 20th Street,
NW., Washington, DC 20036.

The Commission, at the request of
Mountain West Broadcasting, allots
Channel 279C2 at Newell, South Dakota,
as the community's first local aural
transmission service. *See* 64 FR 15713,
April 1, 1999. Channel 279C2 can be
allotted at Newell in compliance with
the Commission's minimum distance
separation requirements with a site
restriction of 1.8 kilometers (1.1 miles)
north to avoid a short-spacing to the
licensed site of Station KIQK(FM),
Channel 281C1, Rapid City, South
Dakota. The coordinates for Channel
279C2 at Newell are 44-43-58 North
Latitude and 103-25-18 West
Longitude.

The Commission, at the request of
Mountain West Broadcasting, allots
Channel 246A at Merville, Iowa, as the
community's first local aural
transmission service. *See* 64 FR 29978,
June 4, 1999. Channel 246A can be
allotted to Merville in compliance with
the Commission's minimum distance
separation requirements with a site
restriction of 5.2 kilometers (3.2 miles)
east to avoid a short-spacing to the
licensed site of Station KMXC(FM),

Channel 247C1, Sioux Falls, Iowa. The
coordinates for Channel 246A at Merville
are 42-29-11 North Latitude and 96-
00-36 West Longitude.

The Commission, at the request of
Mountain West Broadcasting, allots
Channel 225A at Rockford, Iowa, as the
community's first local aural
transmission service. *See* 64 FR 29978,
June 4, 1999. Channel 225A can be
allotted at Rockford in compliance with
the Commission's minimum distance
separation requirements with a site
restriction of 2.3 kilometers (1.4 miles)
southwest to avoid short-spacings to the
licensed sites of Station KATF(FM),
Channel 225C1, Dubuque, Iowa, and
Station KFSI(FM), Channel 225A,
Rochester, Minnesota. The coordinates
for Channel 225A at Rockford are 43-
01-55 North Latitude and 92-57-53
West Longitude.

The Commission, at the request of
Iroquois County Broadcasting Company,
allots Channel 240A at Watseka, Illinois,
as the community's second local FM
transmission service. *See* 64 FR 57838,
October 27, 1999. Channel 240A can be
allotted at Watseka in compliance with
the Commission's minimum distance
separation requirements with a site
restriction of 5.4 kilometers (3.3 miles)
northwest to avoid a short-spacing to
the licensed site of Station WKKD-FM,
Channel 240A, Aurora, Illinois. The
coordinates for Channel 240A at
Watsela are 40-48-00 North Latitude
87-47-15 West Longitude.

The Commission, at the request of
McTronix, allots Channel 271C3 at
Keosauqua, Iowa, as the community's
first local aural transmission service.
See 64 FR 57838, October 27, 1999.
Channel 271C3 can be allotted at
Keosauqua in compliance with the
Commission's minimum distance
separation requirements at city
reference coordinates. The coordinates
for Channel 271C3 at Keosauqua are 40-
43-48 North Latitude and 91-57-48
West Longitude.

The Commission, at the request of La
Nina Education Association, allots
Channel 274A at Box Elder, South
Dakota, as the community's first local
aural transmission service. *See* 64 FR
57837, October 27, 1999. Channel 274A
can be allotted at Box Elder in
compliance with the Commission's
minimum distance separation
requirements at city reference
coordinates. The coordinates for
Channel 274A at Box Elder are 44-06-
48 North Latitude and 103-04-12 West
Longitude.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under South Dakota, is amended with respect to the communities listed below, as follows:

a. By adding Newell, Channel 279C2; and

b. By adding Box Elder, Channel 274A.

3. Section 73.202(b), the Table of FM Allotments under Iowa, is amended with respect to the communities listed below, as follows:

a. By adding Moville, Channel 246A;

b. By adding Rockford, Channel 225A; and

c. By adding Keosauqua, Channel 271C3.

4. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Channel 240A at Watseka.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00-8343 Filed 4-4-00; 8:45 am]

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NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

49 CFR Part 533

[Docket No. NHTSA-00-7033]

RIN 2127-AH95

Light Truck Average Fuel Economy Standard, Model Year 2002

AGENCY: National Highway Traffic Safety Administration (NHTSA).

ACTION: Final rule.

SUMMARY: This final rule establishes the average fuel economy standard for light trucks manufactured in model year (MY) 2002. The issuance of the standard is required by statute. As required by section 321 of the fiscal year (FY) 2000 DOT Appropriations Act, the light truck standard for MY 2002 is identical to the standard for MY 2001, 20.7 mpg.

DATES: This final rule becomes effective on June 5, 2000.

ADDRESSES: Petitions for reconsideration should be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, call Henrietta Spinner, Office of Consumer Programs, at (202) 366-0846, facsimile (202) 366-2738, electronic mail "hspinner@nhtsa.dot.gov" For legal issues, call Otto Matheke, Office of the Chief Counsel, at 202-366-5263.

SUPPLEMENTARY INFORMATION:

I. Background

In December 1975, during the aftermath of the energy crisis created by the oil embargo of 1973-74, Congress enacted the Energy Policy and Conservation Act. The Act established an automotive fuel economy regulatory program by adding Title V, "Improving Automotive Efficiency," to the Motor Vehicle Information and Cost Saving Act. Title V has been amended and recodified without substantive change as Chapter 329 of Title 49 of the United States Code. Chapter 329 provides for the issuance of average fuel economy standards for passenger automobiles and automobiles that are not passenger automobiles (light trucks).

Section 32902(a) of Chapter 329 states that the Secretary of Transportation shall prescribe by regulation corporate average fuel economy (CAFE) standards for light trucks for each model year. That section also states that "[e]ach standard shall be the maximum feasible average fuel economy level that the Secretary decides the manufacturers can achieve in that model year." (The Secretary has delegated the authority to implement the automotive fuel economy program to the Administrator of NHTSA. 49 CFR 1.50(f).) Section 32902(f) provides that in determining the maximum feasible average fuel economy level, we shall consider four criteria: Technological feasibility, economic practicability, The effect of other motor vehicle standards of the Government on fuel economy, and The need of the United States to conserve energy. Using this authority, we have set light truck CAFE standards through MY 2001. See 49 CFR 533.5(a). The standard for MY 2001 is 20.7 mpg.

We began the process of establishing light truck CAFE standards for model years after MY 1997 by publishing an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register**. 59 FR 16324 (April 6, 1994). The ANPRM outlined the agency's intention to set standards for some or all of model years 1998 to 2006.

On November 15, 1995, the Department of Transportation and Related Agencies Appropriations Act for Fiscal Year 1996 was enacted. Pub. L. 104-50. Section 330 of that Act provides:

None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations * * * prescribing corporate average fuel economy standards for automobiles * * * in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

We then issued a notice of proposed rulemaking (NPRM) limited to MY 1998, which proposed to set the light truck CAFE standard for that year at 20.7 mpg, the same standard as had been set for MY 1997. 61 FR 145 (January 3, 1996). This 20.7 mpg standard was adopted by a final rule issued on March 29, 1996. 61 FR 14680 (April 3, 1996).

On September 30, 1996, the Department of Transportation and Related Agencies Appropriations Act for Fiscal Year 1997 was enacted. Pub. L. 104-205. Section 323 of that Act provides:

None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations * * * prescribing corporate average fuel economy standards for automobiles * * * in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

On March 31, 1997, we issued a final rule (62 FR 15859) establishing light truck fuel economy standards for the 1999 model year. This final rule was not preceded by an NPRM. The agency concluded that the restriction contained in Section 323 of the FY 1997 Appropriations Act prevented us from issuing any standards other than the standard set for the 1998 model year. Because we had no other course of action, we determined that issuing an NPRM was unnecessary and contrary to the public interest.

We followed that same procedure for following years and did not issue an NPRM prior to establishing the 2000, and 2001 light truck fuel economy standards. The agency concluded, as it had when setting the 1999 standard, that the restrictions contained in the appropriations acts prevented us from issuing any standards other than the standard set for the prior model year. We also determined that issuing an NPRM was unnecessary and contrary to the public interest because we had no other course of action.

On October 9, 1999, the Department of Transportation and Related Agencies Appropriations Act for Fiscal Year 2000 was enacted. Public Law 106-69. This law contained the appropriations provisions for the Department of Transportation for the 2000 fiscal year. Section 321 of that Act provides: